

### AT THE HEART OF INDIA – USA TIES: ECONOMICS & STRATEGY

#### Why in News?

- Prime Minister **Narendra Modi** has headed to the United States for an official state visit on the invitation of President **Joe Biden**.

#### Introduction:

- At the heart of the Indo-US strategic partnership is the deepening economic engagement.
- **India's largest trading partner is the US** and it is also one of the few countries with which India had a trade surplus in 2022-23.
- For the US, India is the ninth largest trading partner.
- India's major exports to the US include gems and jewelry, pharmaceutical products, light crude oil and petroleum, electrical and electronics goods, engineering products, apparel, frozen marine products, and others.

#### India-US Bilateral Trade Relationship:

INDIA-US BILATERAL TRADE				
in US\$ billion	2018	2019	2020	2021
<b>INDIA'S EXPORTS TO THE US</b>				
Merchandise	54.28	57.69	51.19	73.37
Services	28.87	29.74	25.84	28.98
Total	83.16	87.43	77.03	102.35
<b>US EXPORTS TO INDIA</b>				
Merchandise	33.19	34.29	27.39	39.94
Services	25.20	24.33	17.42	16.72
Total	58.39	58.62	44.82	56.66
<b>TOTAL BILATERAL</b>				
Merchandise & Services	141.55	146.05	121.85	159.01

Source: US Dept of Commerce, US Bureau of Census, Indian Embassy in Washington

- In 2022-23, the bilateral trade between India and the USA stood at a record **US\$ 191 billion** as against US\$ 119.42 billion in 2021-22.
- In 2021-22, **India had a trade surplus of US\$ 32.8 billion with the US**
- American companies have invested around US\$ 60 billion in India in sectors ranging from manufacturing to telecommunications and consumer goods to aerospace.
- And Indian companies have put in more than US\$ 40 billion in sectors such as IT, pharmaceuticals, and green energy.
- In February, **Air India announced the purchase of more than 200 Boeing aircrafts** — a deal which is said to be the largest order placed by an airline in one go anywhere in the world.

## India-US Strategic Relationship:

- The two governments are pursuing more than 50 bilateral dialogue mechanisms at various levels.
- **Quadrilateral Security Dialogue –**
  - The Quad began as a broad partnership after the 2004 Indian Ocean tsunami, but gained strategic heft after the four-country grouping, which has **Australia** and **Japan** alongside **India** and the **US**.
  - It was repurposed in 2017, primarily as a counter to **China's growing influence in the Indian Ocean rim**, and as a forum for redoubling focus on the Indo-Pacific region.
- **I2U2 –**
  - The I2U2 is a grouping of **India, Israel, the US** and the **United Arab Emirates**.
  - It is focused on joint investments and new initiatives in water, energy, transportation, space, health, and food security.
- **Initiative on Critical and Emerging Technology (iCET) –**
  - This January, National Security Advisor Ajit Doval and his US counterpart Jake Sullivan launched a new US-India initiative on Critical and Emerging Technologies.
  - These emerging technologies include **artificial intelligence, quantum computing, semiconductors** and **wireless telecommunication**.

## Conclusion:

- India-U.S. trade relations have developed into a "**global strategic partnership**", based on shared democratic values and increasing convergence of interests on bilateral, regional, and global issues.
- Despite the COVID-19 pandemic, India-U.S. cooperation witnessed intense engagement under various bilateral dialogue mechanisms in a wide range of areas such as –
  - defence, security, health, trade, economic, science & technology, energy, and people-to-people ties.

- PM Modi's visit to the US is expected to give India access to critical American technologies the US rarely shares with non-allies, strengthening a new bond that is underpinned by not just global politics but also business and economics.
- Major announcements expected during PM Modi's visit are –
  - U.S. approval to General Electric (GE) to manufacture engines in India for its domestically produced fighter jets,
  - India's purchase of 31 armed MQ-9B SeaGuardian drones made by General Atomics worth \$3 billion, and
  - Removal of U.S. obstacles that prevent smoother trade in defence and high technology.

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## RIGHT TO CHANGE ONE'S NAME AND THE RIGHT TO LIFE: WHAT TWO HCS HAVE RULED

### Why in News?

- The right to change one's name or surname is a part of the right to life under Article 21, the High Courts (HC) of Allahabad and Delhi recently said.
- The Allahabad HC said that the fundamental right to keep/change one's name is vested in every citizen under **Articles 19(1)(a), 21, and 14 of the Constitution**, while the Delhi HC ruled that the right to identity is an **"intrinsic part" of Article 21**.

### What are the Cases before the HCs?

- In **'Sadanand & Anr. vs CBSE & Ors'**, a plea was filed by two brothers before the Delhi HC.
  - **Owing to caste atrocities suffered**, the father had earlier changed his surname and published it in the newspaper and the Gazette of India as required.
  - His surname was changed across various public documents, such as Aadhaar, PAN, and Voter ID.
  - However, **CBSE refused to update the brothers' certificates** with the father's new surname as this would subsequently entail a **change in their caste, which could be misused**.

- In ‘Md. Sameer Rao vs. State of UP’, the Allahabad HC dealt with a petition filed against an order rejecting petitioner’s application to change his name in his High School and Intermediate certificates, **seemingly for a higher sense of self-worth.**
  - The state argued that a change in the name is **not an absolute right** and is **subject to restrictions imposed by law.**

## The Ruling of the HCs:

- **The Allahabad HC:**
  - The authorities had **arbitrarily rejected** the application for a change of name, and such actions **violated the fundamental rights of the petitioner** guaranteed under Article 19(1)(a), Article 21, and Article 14 of the Constitution.
  - A name is an indispensable component of a person’s identity and falls within the realm of the **right to privacy.**
  - **Congruence in all identity-related documents is essential.** Allowing one to carry identification documents with separate names would lead to confusion/ mischief.
- **The Delhi HC:**
  - The father had decided to change his surname **in order to overcome the social stigma and the disadvantage** faced by his sons and that CBSE’s denial was **totally unjustified.**
  - The petitioners **have every right to have an identity** which gives them an **honourable and respectable identity** in the society.
  - If they suffered any **disadvantage** on account of their surname or faced **social prejudices** due to it, **they are certainly entitled to a change of their identity.**

## What did the HCs say about Article 21?

- In both the Delhi and Allahabad HC cases, **a common thread of Article 21 was found running.**
- The Allahabad HC observed that the right to keep a name of choice/ change the name according to personal preference **comes within the mighty sweep of the right to life and personal liberty** guaranteed under **Article 21.**

- The court relied on the Kerala HC ruling (2020), which ruled that to have a name and to express the same is certainly a part of the right to freedom of speech and expression under **Article 19 (1)(a)** and **Article 21**.
- The Delhi HC held that the **“Right to Identity”** is an **intrinsic part of the Right to Life** under **Article 21**.
- There is no denying the fact that the **Right to Life includes** within its ambit, the **Right to Live with Dignity**, which **includes not to be tied down by any casteism** faced by a person due to the caste to which s/he belongs.

### What are the Restrictions on the Right to Change Names?

- The Allahabad HC clarified that the right to change/ keep one’s name **is not an absolute right and is subject to various reasonable restrictions**.
- State or its instrumentalities cannot stand in the way of the use of any name/ change of name **except to the extent prescribed under Article 19(2)**.
- **Article 19(2)** allows for restrictions in the interests of the security and sovereignty of India, friendly relations with Foreign States, public order, decency or morality, etc.
- However, the restrictions imposed by law on fundamental rights have to be **fair, just, and reasonable** [K. S. Puttaswamy vs. Union of India (2017)].
- **The principle of proportionality** is an essential facet of the guarantee against arbitrary state action, since it ensures that the nature and quality of the right’s encroachment are not disproportionate to the law’s purpose.

### UNITED NATIONS HIGH SEAS TREATY

The world's first international treaty to protect the high seas was recently adopted by the



United Nations.

Why in News?

- Nearly **200 nations** signed the document, officially known as

the **Biodiversity Beyond National Jurisdiction Treaty**, after agreeing to its terms in March following roughly **15 years of discussion**.

- The treaty is meant **“to prevent a cascading of species extinctions”** brought on by overfishing, oil extraction, deep-sea mining and other activities with environmental impacts that occur in the high seas.

### About UN High Seas Treaty:

- It is the **first-ever treaty to protect the world's oceans that lie outside national boundaries**.
- It is also known as the **‘Paris Agreement for the Ocean.’**
- It is a **legally binding treaty that aims at protecting, caring for, and ensuring the responsible use of the marine environment**, maintaining the integrity of ocean ecosystems, and conserving the inherent value of **marine biological diversity**.
- The treaty is **built on the legacy of the UN Convention on the Law of the Sea (UNCLOS)**, which is the **last international agreement on ocean protection**, signed 40 years ago in 1982. UNCLOS established an area called the **high seas**.

### Highlights of the treaty:

- It **aims to place 30% of the seas into protected areas by 2030**(a pledge made by countries at the UN biodiversity conference in 2022).
- It will **provide a legal framework for establishing vast marine protected areas (MPAs)** to protect against the loss of wildlife and share out the genetic resources of the high seas.
- It also **covers environmental assessments to evaluate the potential damage** of commercial activities, such as deep-sea mining.
- The treaty **aims at strengthening resilience and contains provisions based on the polluter-pays principle** as well as mechanisms for disputes.
- The treaty **offers guidance**, including through an integrated approach to ocean management that builds ecosystem resilience to **tackle the adverse effects of climate change and ocean acidification**, and maintains and restores **ecosystem integrity**, including carbon cycling services.



- Treaty provisions also **recognize the rights and traditional knowledge of indigenous peoples** and local communities, the **freedom of scientific research**, and need for the **fair and equitable sharing of benefits**.
- The treaty also **considers the special circumstances facing small-island and landlocked developing nations**.
- It **will establish a conference of the parties (CoP)** that will meet periodically and **enable member states to be held to account on issues** such as governance and biodiversity.
- The treaty **also includes a pledge by signatories to share ocean resources**.

## What are High Seas?

- The **high seas begin at the border of countries' exclusive economic zones, which extend up to 370km (200 nautical miles) from coastlines**.
- **Beyond that point, the seas are under the jurisdiction of no country, and all countries have a right** to fish, ship, and do research.
- **They make up more than 60%** of the world's oceans by surface area.
- **Activities on the high seas are often unregulated** and insufficiently monitored, leaving them vulnerable to exploitation.

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## LAW COMMISSION SEEKS VIEWS ON UNIFORM CIVIL CODE

### Why in news?

- The 22nd Law Commission of India sought the views of religious organisations and the public on the issue of a Uniform Civil Code (UCC).
- The Law Commission of India is a non-statutory body constituted by the Union government.
- The 22<sup>nd</sup> Law Commission is chaired by former Karnataka High Court Chief Justice Ritu Raj Awasthi.
- Earlier, in October 2022, Centre told the Supreme Court that the Constitution obligated the State to have a UCC for its citizens.

### What is Uniform Civil Code?

- **About**

- A UCC would provide for one law for the entire country, applicable to all religious communities, in their personal matters such as marriage, divorce, inheritance, adoption etc.
- In other words, UCC is a set of rules/regulations, which proposes to replace the personal laws based on the scriptures and customs of each major religious community in the country with a common set governing every citizen.

- **Current situation in India**

- Currently, Indian personal law is fairly complex, with each religion adhering to its own specific laws.
- Separate laws/ customs govern Hindus, Sikhs, Jains and Buddhist, Muslims, Christians, and followers of other religions.
- Moreover, there is diversity even within communities. All Hindus of the country are not governed by one law, nor are all Muslims or all Christians.
- For instance, in the Northeast, there are more than 200 tribes with their own varied customary laws.
- The Constitution itself protects local customs in Nagaland. Similar protections are enjoyed by Meghalaya and Mizoram.
- The exception to this rule is the state of **Goa**, where **all religions have a common law regarding marriages, divorces, and adoption.**

- **Constitutional position**

- Article 44 of the Constitution lays down that the state shall endeavour to secure a UCC for citizens throughout the territory of India.
- Article 44 is among the Directive Principles of State Policy.
- Directive Principles are not enforceable by court, but are supposed to inform and guide governance.

## Need for UCC

- **To promote national unity**



- Historically, one of the factors that have kept India back from advancing to nationhood has been the existence of personal laws based on religion.
- These laws keep the nation divided into watertight compartments in many aspects of life.
- A uniform law made applicable to all would promote national unity.
- **Different personal laws are put to subversive use**
- There have been instances of Hindus converting to Islam, as bigamy is permitted under Muslim personal laws in the country.
- **To promote gender justice**
- A uniform civil code is needed for gender justice. The rights of women are usually limited under religious law, be it Hindu or Muslim.
- **Not in the domain of religious activities**
- Matters such as inheritance, marriage, divorce etc. do not have to do anything with the religious activities.
- Hence, any regulation on these aspects would not amount to the infringement on religious freedom extended by Article 25.
- **Vision of constitution makers**
- The Constitution makers had a vision to enact UCC in future to have a same set of civil laws governing all irrespective of religion.
- Enactment of UCC is needed in order to fulfil this dream.

## Arguments against UCC

- **Diversity cannot be compromised for uniformity**
- Imposition of UCC would amount to overlooking of the diversity of Indian cultures, customs, ethnicity, languages, religious ideologies etc.
- From north to south and from east to west, each state in India has a different culture and a different outlook towards life.
- **Violation of fundamental rights**
- Principles of marriage, talaq and polygamy are interwoven with religious and cultural rights of Muslims.



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- State intervention would be the violation of fundamental right (Article 25, 26, 29).
  - **Constitution recognises the customary laws and procedures prevailing in NE states**
  - In North Eastern States, the constitution through VI schedule recognizes the customary laws and procedures prevailing in their society.
  - Hence, there will be practical difficulties in the formulation as well as implementation of UCC.
  - **Detrimental to communal harmony of India**
  - Perception of UCC as encroachment on religious freedom is gaining momentum.
  - In this context, many believe that UCC will be detrimental to communal harmony of India.
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